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MAILED

OCT 19 2010

In re Application of	:	
Lukas P.P.P. Van Ginneken	:	OFFICE OF PETITIONS
Application No. 10/828,547	:	DECISION ON PETITION
Filed: April 19, 2004	:	
Attorney Docket No. SYNP 1006-0	:	

This is a decision on the petition filed July 6, 2010, requesting under 37 CFR 1.182 that the acceptance of the terminal disclaimers filed April 13, 2009 be withdrawn.

The petition for withdrawal of terminal disclaimers is **DISMISSED**.

The final Office action of January 15, 2009 included a non-statutory double patenting rejection of certain claims. In response thereto, applicants filed terminal disclaimers on April 13, 2009. Petitioner requests that the terminal disclaimers now be withdrawn since the claims as currently amended overcome the non-statutory double patenting rejection.

The examiner of record has indicated to the undersigned that at least one claim is still properly rejected under the non-statutory double patenting rejection as set forth in the final Office action. Accordingly, it would not be proper to withdraw the terminal disclaimers at this time.

For the reasons presented above, the petition to withdraw the terminal disclaimers is dismissed.

Telephone inquiries related to this decision should be addressed to the undersigned at (571) – 272-6842.

Carl Friedman
Petitions Examiner
Office of Petitions